

### **Social and Economic Costs**

This Rule is an amendment to implement fees on tire sales that are not currently assessed, and as such there are no significant costs to implement the Rule. The new fees will be assessed on the retail sale of new motor vehicles, used tires, and retreaded tires.

Persons purchasing new motor vehicles with passenger/light truck tires will now pay \$2 per tire (excluding the spare). Persons purchasing new motor vehicles with medium truck tires (those tires weighing more than 100 pounds) will pay \$5 per tire at the time of sale. Persons purchasing new off-road motor vehicles with tires weighing more than 100 pounds will pay \$10 per tire. There will be no charge for tires above 500 pounds or solid tires. These new fees will generate an estimated \$2,108,815 for the Waste Tire Management Fund.

### **Conclusion**

The department believes that the benefits of enhanced environmental and public health protection, as well as other benefits, outweigh the costs of implementation of the Rule. Therefore, the Rule is obviously the most cost-effective alternative to achieve these benefits.

Wilbert F. Jordan, Jr.  
Assistant Secretary

0503#066

### **POTPOURRI**

#### **Office of the Governor Oil Spill Coordinator's Office**

Availability and Request for Comments on a  
Draft Damage Assessment and Restoration  
Plan/Environmental Assessment

September 22, 2002 Oil Spill at North Pass in the Mississippi River Delta, Plaquemines Parish, Louisiana; Availability and Request for Comments on a Draft Damage Assessment and Restoration Plan/Environmental Assessment.

#### **Agencies:**

Louisiana Oil Spill Coordinator's Office  
Office of the Governor (LOSCO);  
Louisiana Department of Environmental Quality (LDEQ);  
Louisiana Department of Natural Resources (LDNR);  
Louisiana Department of Wildlife and Fisheries (LDWF);  
National Oceanic and Atmospheric Administration (NOAA); and  
United States Department of the Interior (USDOJ)  
which is represented by the  
U.S. Fish and Wildlife Service (USFWS).

#### **Action:**

Notice of availability of a Draft Damage Assessment and Restoration Plan/Environmental Assessment, and of a 30-day State and Federal period for public comment on the draft plan.

#### **Summary:**

Pursuant to 15 CFR §990.23 and 15 CFR §990.55(c) and LAC 43:XXIX.Chapter 1, notice is hereby given that a document entitled, "Draft Damage Assessment and Restoration Plan and Environmental Assessment, September 22, 2002 Oil Spill at North Pass in the Mississippi River

Delta, Plaquemines Parish, Louisiana" (Draft DARP/EA) will become available for public review and comment on March 21, 2005. This document is being prepared by the agencies listed above (the Trustees) to address injuries to natural resources and services, following the September 22, 2002 discharge of crude oil into the Mississippi River Delta, Louisiana (the Incident). This document presents the Trustees' assessment of injuries to natural resources and services attributable to this Incident, and their proposed plan to restore, replace, or acquire resources or services equivalent to those lost as a basis for compensating for the injuries to natural resources and services that occurred. The Trustees will consider comments received during the public comment period before finalizing the document. Public review of the Draft DARP/EA is consistent with all State and Federal laws and regulations that apply to the Natural Resource Damage Assessment (NRDA) process, including Section 1006 of the Oil Pollution Act (OPA), 33 USC §2706; the regulations for NRDA under OPA, 15 CFR Part 990; National Environmental Policy Act (NEPA), 42 USC §4321, et seq.; the regulations implementing NEPA, 40 C.F.R. §1500, et seq.; Section 3480 of the Louisiana Oil Spill Prevention and Response Act (OSPRA), L.R.S. 30:2480; and the regulations for NRDA under OSPRA, LAC 43:XXIX, Chapter 1.

#### **Dates:**

Comments must be submitted in writing on or before April 21, 2005.

#### **For Further Information:**

Contact Gina Muhs Saizan at 225-219-5800 or by email [gina.saizan@la.gov](mailto:gina.saizan@la.gov).

#### **Address:**

Requests for copies of the Draft DARP/EA and written or digital comments on the Draft DARP/EA should be sent to:

Gina Muhs Saizan  
Louisiana Oil Spill Coordinator's Office  
150 Third Street, Suite 405  
Baton Rouge, LA 70801  
[gina.saizan@la.gov](mailto:gina.saizan@la.gov)

#### **Supplementary Information:**

On September 22, 2002, an estimated 300 barrels (12,600 gallons) of south Louisiana crude oil was discharged into the environment from an aboveground storage tank located at Ocean Energy's North Pass storage and transfer facility. Containment and cleanup operations were quickly initiated by the Responsible Party (RP) and its oil spill response contractor. However, operations were temporarily suspended due to the passing of Tropical Storm Isidore and Hurricane Lili.

The incident is subject to the authority of OPA, 33 USC §2701, et seq.; the Federal Water Pollution Control Act (FWPCA or Clean Water Act), 33 USC §1251, et seq.; and OSPRA, LRS 30:2451, et seq., NOAA, USDOJ/USFWS, LOSCO, LDEQ, LDNR, and LDWF are Trustees for natural resources pursuant to Section 2706 of OPA, 33 USC §2706; Section 311 of the Clean Water Act, 33 USC §1321; Subpart G of the National Contingency Plan, 40 CFR §§300.600-300.615; and, in the case of the Louisiana Trustees, OSPRA, LRS 30:2451, et seq., and in the case of the Federal Trustees, Executive Order 12777. As a designated Trustee, each agency is authorized to act on behalf of the public under state and/or federal law to assess injuries to natural resources and services, and to plan and implement actions to restore

and recover natural resources and services injured or lost as the result of an incident.

Pursuant to Section 1006 of OPA (33 USC §2706) and Section 2480 of OSPRA (LRS 30:2480), the designated Trustees have conducted a damage assessment for this Incident to evaluate injuries to natural resources and services, and to determine the need for, and scale of, restoration actions required. The Draft DARP/EA discusses the natural resources and services believed to be affected by the Incident, details the assessment procedures used, outlines the restoration alternative selection and scaling process, and identifies the preferred restoration alternatives to address injuries to natural resources and services. The Trustees determined that injured natural resources and services will fully return to baseline without requiring any further actions. However, the Trustees have determined that there have been interim losses to habitat services, birds, aquatic fauna, and recreational use that require compensatory restoration to make the environment and the public whole for these losses. The Trustees identified nine alternatives with a strong nexus to the injured resource (fresh marsh habitat). These projects were screened based on the criteria listed in Chapter 5 of the draft DARP/EA and a crevasse splay marsh creation project was selected as the preferred alternative for restoring injuries to natural resources and services. This type of marsh provides a high level of service, is cost effective, and has a high likelihood of success. In addition, the created habitat is expected to have an extended longevity (compared to marsh created using dredged material) and faster colonization of the area by native vegetation because natural processes continually transport and deposit sediment and seeds on and adjacent to the marsh surface. These actions will compensate the public for injuries to natural resources and services as a result of this Incident.

Interested members of the public are invited to request a copy of the Draft DARP/EA from, and to submit written comments to Gina Muhs Saizan at the address given above. All written comments will be considered by LOSCO, LDEQ, LDNR, LDWF, NOAA, and USDOJ/USFWS in finalizing the DARP/EA.

Roland J. Guidry  
Oil Spill Coordinator

0503#030

## **POTPOURRI**

### **Department of Natural Resources Office of the Secretary Fishermen's Gear Compensation Fund**

Loran Coordinates

In accordance with the provisions of R.S. 56:700.1 et seq., notice is given that 19 claims in the amount of \$56,949.61 were received for payment during the period February 1, 2005 - February 28, 2005.

There were 16 claims paid and 3 claims denied.

Loran Coordinates of reported underwater obstructions are:

26707	46975	Cameron
27750	46880	Terrebonne
28307	46826	Lafourche
28331	46830	Lafourche

Latitude/Longitude Coordinates of reported underwater obstructions are:

2904.990	9053.730	Terrebonne
2913.239	9002.634	Jefferson
2917.329	8957.034	St Bernard
2919.577	8928.685	Plaquemines
2921.157	9128.074	St Mary
2924.338	9003.023	Jefferson
2928.470	8931.990	Plaquemines
2931.860	9008.800	Jefferson
2932.673	9203.477	Vermilion
2940.851	8926.408	St Bernard
2941.563	8914.794	St Bernard
2943.982	9151.304	St Mary
2945.503	8946.427	St Bernard
2951.348	8940.417	St Bernard
2956.872	8950.866	St Bernard

A list of claimants and amounts paid can be obtained from Verlie Wims, Administrator, Fishermen's Gear Compensation Fund, P.O. Box 44277, Baton Rouge, LA 70804 or you can call (225) 342-0122.

Scott A. Angelle  
Secretary

0503#058

## **POTPOURRI**

### **Department of Social Services Office of Community Services**

#### **Social Services Block Grant Intended Use Report**

The Department of Social Services (DSS) announces opportunities for public review of the state's pre-expenditure report on intended uses of Social Services Block Grant (SSBG) funds for the state fiscal year (SFY) beginning July 1, 2005, and ending June 30, 2006. The proposed SFY 2005-2006 SSBG Intended Use Report has been developed in compliance with the requirements of Section 2004 of the Social Security Act (SSA), as amended, and includes information on the types of activities to be supported and the categories or characteristics of individuals to be served through use of the state's allocation of SSBG funds. Section 2004 of the SSA further requires that the SSBG pre-expenditure report shall be "made public within the state in such manner as to facilitate comment by any person." The DSS as the designated state services agency will continue to administer programs funded under the SSBG in accordance with applicable statutory requirements and federal regulations. The DSS/Office of Community Services (OCS) will be responsible for provision of social services, by direct